THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10658 of 2007

Dated: 10-07-2007

Between:

B.Jakariah.

..... PETITIONER

AND

The Mandal Revenue Officer, C.K.Dinne Mandal, Kadapa, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10658 of 2007

ORDER:

The petitioner is the Managing Director of M/s J.M.Micro Pulvarisers, Mamillapalli Village, C.K.Dinne Mandal, Kadapa District. He purchased land admeasuring Ac.1.22 in survey No.618/4 situated in said Village from Government by paying Rs.1,22,000/- and commenced small scale unit. First respondent, namely, the Mandal Revenue Officer (MRO), initiated action under the provisions of the Andhra Pradesh Land Encroachment Act, 1905 (the Act, for brevity) and issued notice under Section 7 of Act on 19.04.2007 calling upon the petitioner to show-cause as to why he could not be evicted from Government land to an extent of Ac.0.11 in survey No.618/2 (out of total extent of Acs.0.71). It is also alleged in the notice that the petitioner constructed pillars and wall in Government land. The petitioner submitted explanation to the show-cause on 04.05.2007 requesting to demarcate the land purchased by him. In the meanwhile, it is alleged that first respondent is trying to interfere with the petitioner's land. Therefore, he filed instant writ petition seeking a writ of Mandamus directing first respondent to desist from demolishing the industrial unit i.e., M/s J.M.Micro Pulvarisers.

After getting instructions, the learned Assistant Government Pleader for Revenue submits that the petitioner has already submitted explanation and first respondent is yet to pass orders. In that view of the matter, the writ petition is not maintainable. The petitioner may appear before first respondent and submit his contentions. First respondent is directed to pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

10th July, 2007

ghn